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## Human Rights Violations in Punjab: Religion and Political Violence

**Dr Koyel Basu,**

Assistant Professor,

Department of Political Science, Jangipur College,

Murshidabad- 742213

E-Mail: [koyelbasu@yahoo.co.in](mailto:koyelbasu@yahoo.co.in)

Mobile: 9830793114/9609835972

**Abstract:** The source of violations of human rights in Punjab lies in its manifold complexities of a conflict-ridden society. The articulation of human rights becomes an extremely challenging and tangled enterprise in a society with a long history of sectarian divisions. Punjab has witnessed a political cycle of violent and peaceful conflict between the state and its opponents. This article has focused on three periods, as described below, of violent conflict between the state and the forces opposed to the state. While it is cavalier to think that militant politics would never re-emerge in Punjab, the state's capacity to absorb political stress and endure democratic means in the period since the extirpation of political militancy has been strong enough.

The research has heavily depended on books as primary source for this research. Besides that, newspapers, magazines, internet has provided secondary references as far as data collection is concerned. The study has used the standard historical analytical method of political analysis. This article finds that Punjab has experienced various ups and downs in its political history and human rights violations have been a major factor in shaping its politics where democratic forces have been equally important. Punjab has witnessed political violence under special circumstances. Its history in between these periods has been largely tranquil with few political killings and human rights abuses. This study has shown that most human rights violations occur in the hands of the state; the more draconian the state becomes the more violent are the repercussions.

**KEYWORDS:** Political violence, human rights, violation, terrorism, Khalistan, militancy, killings.

Punjab has played a major role in the history of India. It had fallen victim to internal intrigues and British mechanizations. After two Anglo-Sikh wars which were cut short early, Punjab was finally annexed to the British empire in 1849. However, the British, who pursued the policy of divide and rule', created differences between the three communities (Muslims, Hindus and Sikhs) by playing off one community against the other. But the people of Punjab rose above their religious differences in their struggle for freedom of India. Though the people of Punjab managed their differences, the British inroad into Punjab society transformed it forever.<sup>1</sup> A brief summary of some of the major academic writings on Punjab needs to be highlighted at this juncture. For instance, the edited volume by Lakhwinder Singh Sidhu, Gurpreet Singh Brar and Sumandeep Kaur Punia examines the various aspects of Punjab politics, viz. the party factionalism, splits; mergers and defections; the electoral politics of the state since the Assembly election held in 1967, the politics of coalitions and alliances; the delicate issue of Sikh militancy; the Parliamentary elections in the state; and, concludes with noting some of the emerging trends and patterns in the politics of the state and summarily also touches the changing socio-economic profile of Punjab and its likely political implications. Bhupinder Singh's *Punjab Politics: Retrospect and Prospect* is a unique addition to the existing literature on the subject.<sup>2</sup> The book provides a fascinating journey towards learning the changing dynamics of state politics in particular, and, to understand multi-fold intricacies of Centre-State relations and working of Indian federalism in general. Besides, it discusses electoral politics as well. Jagdish Kumar's book is based on archival sources and contemporary vernacular periodicals, traces the roots of communal politics from the late nineteenth century when religious identities were being constructed and institutionalized in the backdrop of colonial challenges.<sup>3</sup> This process not only happened in socio-cultural domain but also occurred in the political realm where political institutions were used as leverage to enhance specific 'community' interests. Punjab became a victim of communal politics and paid a very heavy price on the eve of partition of India into two nation states. Here an attempt is made to trace the trajectory of communal politics that landed Punjab into such a catastrophe that had never been seen in the history of mankind. Sumandeep Kaur Punia's work is primarily a study of emerging trends and changing patterns of electoral

1 Lakhwinder Singh Sidhu, Gurpreet Singh Brar and Sumandeep Kaur Punia, eds., *Politics in Punjab 1966-2008*, Chandigarh : Unistar Books Pvt Ltd, 2009.

2 Bhupinder Singh, *Punjab Politics: Retrospect and Prospect*, New Delhi : Readworthy Publications Pvt Ltd, 2010,

3 Jagdish Kumar, *Communal Politics in the Punjab*, Chandigarh : Unistar publications, 2010



politics in Punjab from 1967 to 2007.<sup>4</sup> The study shows how politics in the state has undergone a paradigmatic shift during this period as post-1997 elections have shown a distinct shift of focus from ethno-religious issues to secular and development-oriented issues. Moreover, the study delves into the meaning, role and significance of elections in a democratic polity and the electoral system in India. It provides an analysis of party manifestoes, electoral issues; party performance and changes in support base of major political parties in the state. Pritam Singh's book titled *Economy, Culture and Human Rights* is an important work to understand human rights as intrinsically important rather than simply as a means to achieve a given set of economic or political goals.<sup>5</sup> The book describes how the politico-economic framework established by the British in Punjab resulted in intensification of conflicts over material interests. This scenario provided an impetus for the transformation of pre-British religious differences into a sharp political antagonism on religious lines. Punjab was distinctly different in pre-colonial set up. The encouragement given the colonial authority resulted in the segmentation of a society into many hostile groups who vied against each other for political power and insisted for their religious separateness.

The Punjab agitation had causes both distant and proximate. A section of the Sikh intelligentsia hoped for the renewal, in some shape or form, of the Sikh state ruled by Maharaja Ranjit Singh in the first half of the 19<sup>th</sup> century. Others looked only as far back as partition, and the tragedies and losses suffered by the community then. The state of Punjab had to pay a very heavy price for secessionist politics on the eve of Independence when it was sliced into two parts. After the partition of Punjab, the Congress came to command an absolute majority in the state legislative assembly which consisted of seventy nine members. Dr. Gopi Chand Bhargava took over the reins of administration as Chief Minister of east Punjab Province, on the direction of Sardar Patel. After its merger with Akali Dal, the strength of the Congress rose from seventy-one to seventy-nine members.<sup>6</sup> The Congress at that time was badly faction-ridden. There were two vital groups – the Bhargava group and the Sachar group, each with an equal number of supporters. Nehru was infuriated at Bhargava's defiance of the high command. Finally, he was asked by Nehru to resign. However, since the Sachar-Kairon faction was in a minority, it failed to form an alternate ministry. President's Rule was clamped on the state on June 20, 1951 and lifted on April 4, 1952. The imposition of President's Rule was criticized by the opposition parties who said that it had been used as a political weapon and that it denied that majority group its rights to rule the state.<sup>7</sup>

The President's rule could not control political violence. The number of incidents of violence kept increasing after the imposing of President's rule in the state. There were more incidents of bank robberies, theft of weapons, cutting the telegraph wires, burning of the railway stations, attacks on policemen, bomb explosions, murder of Nirankaris, killing of public officials, and attack on the ministers. There was also the breaking of idols, damage to temples, sacrilege of Gurudwaras, firing on Hindu shopkeepers, killing of cigarette sellers, firing on Jagrata and Ram Lila crowds, and indiscriminate firing on people. There was also mob violence in Haryana.<sup>8</sup> Sant Bhindranwale, began to operate from the Golden Temple complex, and instigated violence and advocated the killing of Hindus. In the last weeks of 1983 Bhindranwale took up residence in Akal Takht that the great Gurus issued their hukumnamas, edicts that all Sikhs were obliged to follow and honour. That Bhindranwale chose now to move into the Akal Takht, and that no one had the courage to stop him, were acts steeped in the most dangerously profound symbolism.

Punjab appeared to be at a communal boiling point in the spring of 1984. The Punjab crisis lingered and escalated as a result of these continuing "patterns of political leadership." Yet, the relationship between the Akalis and "the extremists", and between the Akali Dal and Mrs. Gandhi's Congress (I) government, transformed in a fundamental way during the course of this period. Regarding the former, the Akali Dal and Bhindranwale had been in a tenuous but largely mutually-symbiotic relationship since the beginning of the DharamYudhMorchha. But, by the spring of 1984, Bhindranwale had usurped the Akalis' traditional positions as the premier source of Sikh leadership in Punjab, thus turning the Akalis (both "moderates" and "radicals" alike) against him. Not only did the Akalis become antithetical to Bhindranwale, but Mrs. Gandhi also began to perceive the need to act aggressively against "the extremists" to avoid losing precious Hindu support in north India.

4 Sumandeep Kaur Punia, *Electoral Politics in Punjab: Emerging Trends and Changing Patterns (1966-2009)*, New Delhi : Mohit Publications, 2009

5 Pritam Singh, *Economy, Culture and Human Rights: Turbulence in Punjab, India and Beyond*, Haryana : Three Essays Collective, 2011.

6 Sumandeep Kaur Punia, *n.4*, pp. 18-19.

7 Ibid., p. 21.

8 Bhupinder Singh, *n.2*, p. 63. Also see, J.S Grewal, *n.10*, pp. 203-204.



For these reasons, Mrs. Gandhi ordered the Indian Army to raid the Golden Temple complex in June 1984 in operation Bluestar. The army was ordered to move into the Golden Temple. The whole Punjab was completely scaled off from the rest of the country by the Indian army. The troops equipped with tanks and heavy armour surrounded the Golden Temple curfew was imposed throughout Punjab. The Akal Takhat, the seat of temporal authority of the Sikhs was completely destroyed. Nearly 200 army personnel and 400 militants including Jarnail Singh Bhindranwale lost their lives. The military operation injured badly the religious sentiments and self-respect of the Sikhs and led to far-reaching consequences. The operation was “successful” in eliminating Bhindranwale, but it also embittered and alienated Sikhs throughout India. Mrs. Gandhi and the Akalis had solved one problem – Bhindranwale – but they had also potentially created another one – the basis for a separatist ethno-nationalist insurgency in Punjab. The military action at Golden Temple could not eliminate militancy in Punjab. Rather, it added fuel to the fire. Militants started making the demand for Khalistan more forcefully than ever before. Martial law was imposed, thousands of Sikhs died, thousands were arrested, and civil liberties of the state were by and large suspended.<sup>9</sup> As a result active armed resistance against the Indian state began for the first time in Sikh-Centre relations. On 31<sup>st</sup> October 1984, Indira Gandhi was assassinated by two Punjabi Sikh guards from her own security force presumably in retaliation for the attack on the Golden Temple.

This unleashed an orgy of indiscriminate killings. Events were moving towards a tragic collision. On 1<sup>st</sup> November, 1984, reports started emerging of large-scale killings of Sikhs and the burning of their gurdwaras and business net only in Delhi but in many other towns of north India. In Delhi and its neighbourhood it was believed that 4000 – 5000 Sikhs were killed. Out of them, 5 – 10 percent was burnt alive. 50 – 60000 people (Sikhs) ... had been rendered homeless and subjected to unspeakable humiliation and torture:<sup>10</sup> The operation Bluestar was first of its kind, in which seven divisions of the army were deployed and all three wings of the armed forces – the army the navy and the air force – were brought in to suppress an internal rebellion. As many as 13 tanks were used in the attack. Estimates of persons killed vary from 493, according to the government of India white paper, to over 8000, according to another estimate. The most reliable is an estimate by Khuswant Singh, who writes that ‘in the cross-fire upwards of 5000 people, a majority of them pilgrims, including women and children lost their lives’<sup>11</sup>

Mrs. Gandhi’s assassinations sparked a massive Hindu backlash against Sikhs throughout India. In many cities, especially in Delhi, the civil administration simply broke down partially due to the police’s apathy. The deployment of the Army was delayed for four days, rising suspicious that the highest levels of the congress (I) government deliberately refrained from ending the progress in order to teach the Sikhs “a lesson”. While anti-Sikh violence raged in the rest of North India, Punjab remained relatively calm as over 80000 military and paramilitary troops sealed the state and barred any traffic from either entering or leaving.<sup>12</sup> In fact, a “surface calm” prevailed in Punjab after operation Bluestar. Indian Express described the atmosphere as follows–

‘A deep anguish pervades in the country side. People say they have been humiliated but at the same time express their helplessness. They simply do not know how to react. For the time being they have come to terms with the situation. Every villager this reporter talked to ... expressed strong views ... [they] do not know whom to look to<sup>13</sup>

It was easy to play political blame game in such a situation especially to hold the then Prime Minister Mrs. Indira Gandhi responsible for the tragic operation Bluestar that unfolded in Punjab. But without such convoluted thinking one might wonder whether any Prime Minister would opt to willfully continue with a situation which reveals her complete impotence as the Punjab situation did for so long. The tough stand prospered by the Centre meant not only steadfastness in the face of Akali demands but also positive action to deal with lawlessness.<sup>14</sup> The Government of India’s “White paper on the Punjab Agitation”: (1984) observes:

“The terrorists escalated their violence. With each passing day the situation worsened. The subversive activities of groups inside the Golden Temple Complex had assumed menacing proportions in the context of

9 Jugdeep S Chima, “The Punjab Crisis: Government Centralization and Akali-Centre Relations,” *Asian Survey*, Vol. 34, No 10, 1994, p.854.

10 Amrik Singh, ed., *Punjab in Indian Politics*, Delhi : Ajanta publications, 1985, p. 321

11 Pritam Singh, ‘The Political Economy of the Cycles of Violence and Non-Violence in the Sikh Struggle for Identity and Political Power: implications for Indian Federalism’, *Third World Quarterly*, Vol. 28, No.3, 2007, p. 561.

12 Jugdeep S. Chima, *n.11*, pp. 108-109.

13 “Surface calm in Punjab,” *Indian Express*, 15<sup>th</sup> June, 1984.

14 Surinder S. Jodhka, ‘Return of the Region: Identities and Electoral politics in Punjab’, *Economic and Political Weekly*, Vol. 40, Issue No. 10, Jan 15, 2005, pp. 225-226



India's security environment. The influence of external forces, with deep-rooted interest in the disintegration of India, was becoming evident. The Government was convinced that this challenge to the security, unity and integrity of the country would not be met by the normal law and order agencies at the disposal of the state."<sup>15</sup>

At a time when a paradigm shift was taking place in the rest of the country, which Indian political scientists described as a move from 'politics of ideology' to 'politics of representation'; Punjab was experiencing a very different trajectory. The rise of the Khalistani movement was a rather unexpected development. Khalistan was perhaps never a part of the popular imagination of the Sikhs living in Punjab but acquired a different magnitude primarily because of the manner in which it was 'handled' that led to complete depoliticisation of the social life and the institutions of governance.

There had never been any doubts about the nationalist credentials of the Sikhs. Not surprisingly therefore, the rise of a secessionist movement in the state was a puzzle for many. From political economy to modernization theory, to psychoanalysis, the academia applied virtually every available framework and perspective for understanding and explaining the 'crisis.' Though militancy declined after a period of time and local politicians began to come out in support of peace initiatives, the implications of the crisis were far too many – for the Sikh community and for the state of Punjab too. The age-old Hindu-Sikh unity was put on test in this troubled period. According to available estimates, more than 25000 people, a large majority of whom were Sikhs, had lost their lives in Punjab and elsewhere in India, in the violence linked to the 'crisis'. Impact was mostly felt on the state economy and there were changes in the social life of the people. More importantly, it quite fundamentally transformed the popular image of Punjab. From a state known for its economic vibrancy and progress, Punjab began to be seen as a 'crisis ridden' region with serious problems of law and order and political unrest.

Politically also this prolonged phase of violence was quite negative for the state. Almost every political formation lost credibility with the common people of Punjab was scared of even talking about politics. The prevailing mood was expressed in the words of Dipankar Gupta, "Punjab today represents a picture of hard to believe placidity."<sup>16</sup> This silence did not mean indifference to politics. Common Sikhs were angry with the then dominant political formation, the Congress Party. This anger was directly reflected in the electoral politics during the period. The events that occurred and electoral politics were intrinsically and intimately related and influenced each other. These developments made democratic institutions and processes irrelevant. It was only around the late 1990s that the political process limped back to normal. Interestingly, though 'the crises' virtually paralyzed all normal political activity and security forces were given all kinds of special powers to enable them to suppress militancy in a border state of the country, electoral politics was not completely suspended in the state despite the prevalence of these special conditions.

The first major initiative to restore peace and revive electoral politics in the Punjab was taken up in 1985 when Rajiv Gandhi, India's new prime minister, revived the dialogue process with the 'Moderate' Akalis and eventually signed an accord with them in July 1985. This agreement is popularly known as Punjab Accord or Rajib-Longowal Accord. According to this accord, Chandigarh was to be transferred to Punjab on or before January 26, 1986.

An autonomous commission was to be appointed to settle the territorial claims of Punjab and Haryana. The final territorial exchange between Punjab and Haryana was to take place on January 26, 1986 and a tribunal, presided over by a Justice of the Supreme Court, was to make an allocation of river water between Punjab, Haryana and Rajasthan. The Anandpur Sahib Resolution, which demanded restructuring of the Centre-state relationship, was referred to the Sarkaria Commission. On July 26, 1985, RajibLongwal Treaty was approved by an overwhelming majority of more than 250 Akali delegates and the district party leaders. The agreement resulted in the termination of the Akali agitation.

Actually, Rajiv Gandhi who succeeded as prime minister, moved firmly, bringing an end to the anti-Sikh riots. Rajiv's perceptions of the Akali politics and the Punjab crisis were different from his mother. He appeared to make a clear distinction between the approach of the moderate Akali politicians and the Sikh extremists and the secessionists. In more than 50 years of their history, Akalis had never used terrorist method to achieve their political goal. Thus, Sikh terrorism was a new phenomenon and it was necessary to separate it from Akali politics. The basic strategy of Rajiv Gandhi was to isolate the extremist and to bring the moderate Akali leadership to the negotiation table. However, the signing of this accord turned out to be premature. The militants assassinated Sant Longowal on August 20, 1985, its signatory from Punjab. This incident raised doubts in some quarters about the wisdom of holding elections. (both Lok Sabha and Assembly) scheduled to be held on

15 C.P. Bhambhri, *Political process in India. 1947 – 1991*, New Delhi : Vikas Publishing House, 1991, p. 45

16 Surinder S Jodhka, n. 30, p. 225





22<sup>nd</sup> September, 1985. The government ultimately decided and all parties in the state accepted to confront the challenging situation squarely and salvage from it a democratic existence.

The elections were held in 1985 and it surprisingly witnessed quite an enthusiastic participation. An estimated 66.5% of the total eligible voter turned-up for voting, a rather impressive turnout even for normal times. And this was despite the call for boycott given by the radical factions of Akalis and the All India Sikh students Federation (AISSF). The moderate faction of Akalis won in these elections with a massive majority. In the 117 member state assembly, they were victorious in as many as 73 seats. The enthusiasm of the voters, particularly from the villages, surprised even the cynics amongst observers. It confirmed that the people of Punjab wanted to live in peace and they were in favour of the restoration of the democratic process. The Congress suffered an overall loss of 7.29% of voters in 1985. It was for the first time in the history of the Akali Dal that it formed a government in Punjab without having to align with any other party.

Surjit Singh Barnala was sworn in as the Chief Minister of Punjab on September 29, 1985. The Akali government under him had to face many challenges. Especially, the Central government was not very helpful. It developed cold feet towards the Barnala government. None of the major clauses of the Punjab Accord were implemented. In the meantime Haryana assembly elections were declared. Rajiv Gandhi had been lending an ear to Bhajanlal, Chief Minister of Haryana, and come to the conclusion that if he gives Chandigarh to Punjab then he would lose the Hindu votes in Haryana elections. So to appease the Haryana electorate, the Central government, dismissed Barnala government in May 1987 on the pretext that he was unable to put down the terrorism in his state, and President's Rule was imposed in Punjab. The assembly was formally dissolved in March 1988.<sup>17</sup> The treatment meted out to the moderate Akalileader, Surjit Singh Barnala, by the Central government and the non-implementation of the Rajiv-longowal Accord had a direct impact on the internal politics of the Akalis and the Sikh communality. The moderates lost out to the radicals. When elections were held to the Lok Sabha in 1989, it was the radical faction of Akalis which gained the upper hand. Moderate Akali groups could not get a single seat this time round. Military continued to grow, until the early 1990s. Even the top police officer, KPS Gill acknowledged the failure of the security forces in containing militancy. "The years 1990 and 1991 unambiguously belonged to the terrorists." he admitted.<sup>18</sup>

Between 1989 and 1992, the insurgency movement by the Sikh militants campaigning for Khalistan, a separate Sikh state was at its peak and threatened the security forces and sidelined the moderates in the Akali Dal, the mainstream Sikh political party. President's rule lasted until February 1992, having set up a 'quasi-militarized situation with a de-facto police raj'.<sup>19</sup> A series of special laws, not only suspended the political process in the state, but empowered the security forces to take measures to contain disorder and insurgency. The state was mixed in a terrible state of virtual civil war conditions.

In the meanwhile, there was also a regime change in New Delhi. The Congress Party lost the 1989 parliamentary elections and V.P Singh of the Janata Dal became the prime minister. V.P. Singh's "National Front" was the first non-congress government in power in the Centre since the Janata government of 1977. He visited the Golden Temple and promised to renew the dialogue and political process. V.P. Singh did not offer any immediate political solutions, but his visit demonstrated, at least symbolically, an apparent change in the attitude of the Central government toward the "Punjab problem" by taking it away from a policy of confrontation.

Though V.P. Singh's government did not last long, his successor, Chandra Sekhar reaffirmed the promise made by Singh, while also trying to stay firm on violence. During his brief tenure as Prime Minister, Chandra Sekhar first sent the army to contain militant violence and opened a dialogue with the radical Sikh leadership. When the radical Sikh leadership hesitated, he made a direct approach to smaller militant groups. These talks resulted in a secret deal in which Chandra Sekhar sought to restore the democratic process by holding the Lok Sabha and State elections in Punjab just after the 10<sup>th</sup> General elections in May-June 1991. However, when general elections were held for the Lok Sabha in the country in 1991, Punjab was not found suitable for revival of the democratic process. Interestingly, different factions of the Akalis were in the fray. These groups set up candidates for these elections. But the congress (I) anticipating defeat boycotted these elections and also several militant organizations opposed it. In the meantime Rajiv Gandhi was assassinated. Towards the end of the campaign the level of violence escalated dramatically. Barely 36 hours before the polls,

17 Sumandeep Kaur Purnia, *n. 4*, pp. 66-67.

18 Surinder S Jodhka, *n. 30*, p. 226.

19 Gurharpal Singh, *Communism in Punjab: a study of the movement up to 1967*, New Delhi :Ajanta Publications, 1994, p. 411. Cited in Subrata K Mitra, *The Puzzle of India's Governance: Culture, Context and Comparative Theory*, New York : Routledge, 2006, p. 95



had the Election commission decided to postpone the holding of elections in Punjab.<sup>20</sup> It was strongly felt that there was no wisdom in cancellation of the Punjab poll. It was unjustly called off at the last minute, simply because the non-Congress victory was otherwise certain.<sup>21</sup> A couple of months after the Congress formed its government at the Centre under the leadership of PV Narasimha Rao, it decided to hold elections in Punjab though militancy was not yet defeated. Rao reappointed KPS Gill as the head of the Punjab Police who had a previous record of successful action against militants, terrorists and militant groups and gangs in Punjab under the National Front Government. However, militancy continued to grow until the early 1990s. Even the top police officer KPS Gill acknowledged the failure of the security forces in containing militancy. "The years 1990 and 1991 unambiguously belonged to the terrorists", he admitted.<sup>22</sup> However elections to the state assembly and to the Parliament were finally held in Punjab in February 1992 under the shadow of guns. These elections were not normal elections. They, on the one hand were referendum on two different modes of politics – the democratic mode and the terrorist mode. Although, nominally, the contest was between candidates of different parties, but the real adversaries in the fray were Indian democracy on one side and terrorism on the other side.<sup>23</sup>

The army was deployed to help civil administration to conduct elections peacefully. However, the political climate had deteriorated significantly by then. Moderate Akalis saw their marginalization in Punjab politics as being a direct result of the policies of the Congress governments at the Centre. When the Congress government at the Centre decided in favour of holding elections, the Akali showed no enthusiasm. Along with different groups of militants they too gave a call for boycott. While justifying the Akali decision of the boycott, Prakash Singh Badal stated that: "We are for total boycott and exposure of the center's mechanizations against Punjab."<sup>24</sup>

The situation was such that it drew politics in the direction of indeterminacy. The extraordinariness of the elections themselves, held as they were amidst violence and the call for a boycott, shaped the rhetoric and the electoral strategy of political parties. The first major bone of contention between the two main parties: the Akali Dal and the Congress was whether the elections should be held at all. Polling was held under strong security. However, the boycott call by the Akalis was also very effective. A little less than 24% of all the registered voters turned up for voting on the day of the polling. Overwhelming majority of Sikh voters refrained from voting. Congress had virtually no opposition, except from the Bahujan Samaj Party which attracted substantial number of voters. Congress candidates won from as many as 87 of the 117 assembly seats. The party formed a government under the leadership of Beant Singh as Chief Minister.

The installation of an elected government had far reaching implications for the state's politics during the 1990s. Firstly, the low electoral turn out cast a damper on the legitimacy of the new government. It was more a vote for rejection than election. Secondly, there was a legitimacy deficit for the Congress which made the restoration of normalcy and returns of peace to the state its main concern. The only problem is that it defined restoration of 'normalcy and peace' strictly in political terms; the agenda had no place for the social or economic reconstruction of the state. Both the demands of the Anandpur Sahib Resolution and the promised economic package for the state remained unfulfilled and undelivered.<sup>25</sup>

In the post 1992 election scenario the issue of peace was to dominate state politics for many years to come as the Akalis were trying to put their own house in order. They had to regain the political ground that had been appropriated by the militants in the 1980s in order to compete with the Congress. The Akali Dal (Badal) aligned with the Bahujan Samaj Party. It also aligned with the Bharatiya Janata Party which had far reaching consequences.<sup>26</sup> The dynamics of the state politics of Punjab which manifests in the electoral mobilization in the state has been characterized by the continuation of alliances and coalition politics since the 1960s. 1990s also witnessed the same trend along with it there was the 'grandaunt' discarding of radical stances by political parties all over the state'. This has been evident in the form of the manifestoes of Akali Dal and its ally BJP to maintain peace, brotherhood, communal harmony, socio-economic welfare, all round development and sustainable and profitable, agriculture through diversification'.<sup>27</sup> All parties made the right kind of noises in terms of development but it was clear that politics and policy alike were concerned with peace defined narrowly

20 Surinder S. Jodhaka, *n. 30*, p. 226

21 Sumandeep Kaur Punia, *n. 4*, p. 67,

22 Surinder S. Jodhaka, *n. 30*, p.226.

23 Sumandeep Kaur Punia, *n.4*, p. 61

24 Lakhwinder Singh Sidhu, et. al, *n.1*, p. 339.

25 Ibid.

26 Surinder S. Jodhaka, *n.30*, p. 227.

27 Ashutosh Kumar, *n. 8*, p. 1519



as the elimination of militancy. The de-escalation of Sikh militancy in Punjab was surely the order of the day. India Today described the emerging situation as follows – ‘The venders of terror (the militants) have cleared pack up. The guns are there but they belong to the police.’<sup>28</sup>

In February 1993, Punjab police Chief KPS Gill had confidently announced that militancy had been crushed in Punjab. Through the year, the police had killed 794 suspect militants, arrested 970 and 379 voluntarily surrendered. The most telling figure demonstrating the decline of insurgency was the relatively small number of people killed by “the militants” in 1993: only 24 civilians and 23 Security force personnel. In contrast, the comparative figures for 1992 had been 1,266 and 252.29 However, in the troubled political condition of Punjab, the proper support that was gained by Beant Singh’s Congress (I) government was quickly eroding for several reasons. Firstly, the crowning achievement of Beant Singh’s government-- the apparent “crushing” of Sikh militancy – was quickly fading into the background as other, mostly economic, issues were becoming more salient in Punjab’s political discourse. Secondly, corruption had become so rampant in Beant Singh’s government that many cabinet ministers were either being investigated for misdeeds or were actually facing criminal charges. Thirdly, Beant Singh was losing his unchallenged control over Punjab’s Congress (I) party as new, younger leaders were quickly emerging to the forefront of the organization. Lastly, in an increasingly post-militancy Punjab, the Punjab Police had failed to revert back to more “normal” modes of operation.<sup>30</sup>

Along with the militants, many innocent persons were killed. It was reported in 1992 that police excesses and high-handedness continued unabated with the implicit approval of the Centre. The security forces were given a ‘free hand’ to curb the militancy in the state. The lure of awards induced the security personnel to take the chance of killing the innocent persons in the name of ‘terrorists’. In a number of cases the relatives of militants were tortured to death. Under the command of ‘super cop’ K.P.S. Gill, the police resorted to unprecedented illegalities and atrocities. The United States government described the Punjab police practice of faked encounter killings in 1993, “In the typical scenario, police take into custody a suspected militant or militant supporter without filing an arrest report. If the detainee dies during interrogation or is executed, officials deny he was ever in custody and claim he died during an armed encounter with police or security forces. Alternatively, police may claim to have been ambushed by militants while escorting a suspect. Although the detainee invariably dies in “crossfire,” police casualties in these incidents are rare.<sup>31</sup> Fake police encounters were frequently reported. The bodies of thousands were cremated by the police declaring those as unclaimed.<sup>32</sup> There were major violations of human rights in the state in the name of curbing the Sikh militancy. The fight against the militants became a fight against all political opponents and, often, same methods were used indiscriminately against all. Instead of adopting any political approach to solve the Punjab situation the Central government resorted to crush any opposition in the state with ruthless use and abuse, retaliation against their opponents and the allies of the Indian state was no less brutal.<sup>33</sup>

The entire effort of the administration during Governor’s rule was directed towards crushing the Sikh insurgency; little thought was given to rejuvenate the democratic political process in the state. Development of the industrial and service sector suffered a setback and the realization of the Punjab economy was further strengthened. The government of India eventually succeeded in crushing Sikh militancy, but paying a very heavy human cost. The majority of Punjabi Sikhs who died in the battle between the Indian security forces and Sikh guerrilla organizations were young men in the prime of their productive life span. The range, intensity and the scale of human rights violations were unprecedented in Punjab’s post-independence history.<sup>34</sup>

Despite such violence, the people of Punjab, over the years returned to electoral politics and began to take part in the democratic process of a country with immense enthusiasm. The Lok Sabha elections held in 1996 were first ‘normal’ elections after a long period of turmoil. These elections are very significant as these represented the psyche of people. The important aspect of the 1996 Lok Sabha elections was that the people and the political parties of all shades enthusiastically participated in the elections for the first time after the end of militancy in the state. The fear of violence had practically gone and the people of Punjab fearlessly used their

28 Kanwar Sandhu, “Punjab: Normal Life at Last.” *India Today*, 28 February 1993, p. 40

29 Ibid., pp. 240-241.

30 Jugdeep S. Chima, *n. 11*, p. 242.

31 Human Rights Watch and Ensaaf report titled ‘Protecting the Killers: A Policy of Impunity in Punjab, India,’ Vol. 19, No 14(c), October 2007, p.16 . Source:

[www.hrw.org/sites/default/files/reports/india1007webwcover.pdf](http://www.hrw.org/sites/default/files/reports/india1007webwcover.pdf)

32 Ibid, pp. 16-18

33 Pritam Singh, *n. 27*, p. 565.

34 Pritam Singh, *n. 5*, pp. 138-139.



right to vote. Around 62.25 percent of the people voted this time as against 23.69 percent in 1992 elections. The main reason for the massive turnout was the people's assertion of their faith in the democratic mode for the redressing their grievances and also due to the return of competitive politics in Punjab after twelve years.<sup>35</sup>

In the following year when elections to the state assembly were held, 'peace' continued to be the core issue. The 1997 assembly elections were held in normal conditions, which were far removed from the hype, the contestation, the fear and the apathy that had marked the 1992 elections. Recognizing the changing political scene at the national level, and the growing significance of BJP, the Badal Akali Dal did everything possible to consolidate its alliance with the state unit of the BJP. It nearby abandoned its policies of regional identity and spoke a very different language. The alliance worked well for the Akalis. A whopping 68.7 percent of the registered voters turned up for voting of the total 117 assembly seats, Akali Dal (Badal's) candidates won as many as 75 seats and its partner BJP won another 18.<sup>36</sup> The Congress party was routed with its worst electoral result ever. The Congress was in disarray because of the absence of the Chief Minister Beant Singh (who was assassinated in 1995) but also because the party found itself completely out of sync in a situation in which its most important achievement – that of containing militancy was not an election issue any longer.<sup>37</sup>

The post 1997 period in Punjab politics has been characterized by the revival of the democratic process in the state after the political wilderness of the eighties. Punjab was back to normal, secular and development oriented issues as Panthic, emotional and identity related agendas were no more dominant in the electoral politics of the state.<sup>38</sup> Nearly two decades after its brush with 'terrorism', democracy made a robust return in the state and proved the validity of elections. Both major political parties made overall development as their poll plank. For the people, the real issue was 'bread and butter' and 'good quality of life.' Political parties get their eyes on the poor people and took poverty as an important issue.

To be more specific, the post 1997 Assembly elections have shown a distinct shift of focus from religio-political to politico-economic policies veering around the issues of performance, development and government. As the memories of operation Bluestar and anti-Sikh riots seem to have faded, and a new generation of the youth who have grown up in the post-militancy peaceful Punjab, have become voters, the secular criteria, such as governance and economic policies have taken precedence over the identity politics drawing upon the community and regional aspirations. Punjab politics has moved from emotional and identity-related issues of development, education, unemployment, welfare of Dalits and other poor sections of the society and so on. Both the Congress and the Akali Dal, the major political actors of Punjab politics, had focused on these issues in their manifestos and their advertisement campaigns in post-1997 elections.<sup>39</sup>

On the eve of the 1998 parliamentary elections, different factions had called a truce. However, due to factionalism and infighting, the Congress party suffered a debacle. On the other hand, the Akali-BJP alliance was a win-win situation for the Akalis. This alliance went beyond mere electoral strategy. An era of cooperative federalism started. Since the anti-Congress wave persisted for a while, the Akali-BJP alliance did well once again.<sup>40</sup> It was not a straight fight in Punjab between the Akali-BJP alliance and the Congress in the Lok Sabha elections of 1999. This time it was not smooth sailing for Akali Dal. They could retain only three seats. The Congress gave a severe blow to the ruling Akali-BJP coalition by wresting eight of the 13 seats. The rout of Akali-BJP at the hands of Congress showed the disenchantment of people with the ruling combine. The distinguished feature of the 1999 Lok Sabha elections in Punjab was the re-emergence of Congress in the electoral politics of the state. Factors that helped the Congress were the anti-incumbency wave, split in Akali support base leading to the break up of the party, and polarization of weaker sections who were disillusioned from the state government. Another major factor that helped the Congress was polarization of the rural Dalit vote in its favour. The Congress had been able to win its traditional support base of dalits that had weaned away by the Bahujan Samaj Party in the past.<sup>41</sup> Governance became the love theme of most party manifestoes by 2000. Actually, by the turn of the 21<sup>st</sup> century, the crisis in agriculture and the state economy had accentuated so much that the manifestoes could ill afford to ignore this discomforting fact. Whatever were the pledges and promises made by the major parties, they were clearly inadequate because they failed to address the root map was offered by either of the parties for reviving the Punjab economy, all that was offered was sops. As a tribune editorial tellingly commented "with so much of shining staff on offer, who has the time to think about issues

35 Sumandeep Kaur Punia, *n. 4*, p. 120.

36 Surinder S Jodhka, *n. 30*, p. 22.

37 NeeraChandhoke and Praveen Priyadarshi, *n. 41*, p. 12.

38 Sumandeep Kaur Purnia, *n. 4*, p. 71

39 Ibid, p. 141

40 Ibid., pp. 140-141

41 Ibid., p. 128





like the decline in agriculture, lack of industrial growth and deficiencies in primary sectors? Bread is not essential where butter is being doled out.”<sup>42</sup> During the 2002 Assembly election, an aggressive advertisement campaign was launched by the Congress against the Chief Minister Prakash Singh Badal and his son, accusing them of corruption and bartering away the interest of Punjab. The Akali Dal hit back with its own set of equally aggressive advertisement campaign against the Congress leaders. The Congress had come to power in 2002 on the plank of ‘freedom from corruption and freedom from bankruptcy’.

By 2004 the politics of hatred, vendetta and revenge returned to state politics through the fierce rivalry between Captain Amarinder Singh and Prakash Singh Badal. Apart from the unprecedented bouts of mudslinging allegations and counter allegations, the 2007 assembly election campaign became quite personalized with both the parties indulging in personal vilification through surrogate advertisements. Unfolding event in Punjab turns our attention to yet another feature of Punjab politics that emerged with the passage of time in the politics of populism. The rhetoric of populist promises was the order of the day. The contestants had given a short shrift to the real issues and dished out oratorical add-ons. By 2004 the provincial political class began to feel sufficiently confident about its political identity and was no longer bothered about its democratic credentials. It could once again take on a confrontationist position vis-à-vis the central government as long as it meant defending the interests of the common people of Punjab.<sup>43</sup>

It is precisely this political journey of Punjab which is so interesting. This journey, full of patterns of resilience, found an unprecedented move in the political history of the state when the legislative assembly of Punjab in its meeting of July 11, 2004 decided to annul the agreement that the state of Punjab had signed with the states of Haryana and Rajasthan in 1981 on distribution of river waters between the three states. The Termination Agreement Bill was passed unanimously by the house and was sent to the Punjab governor for his approval the same evening, who apparently signed it without any hesitation or consulting the union government.

This termination of the water-sharing agreement brought to the fore the axis of regionalist politics. Apart from reflecting the changing realities and discourses of politics in Punjab, this return to the region under the leadership of the Congress Party could also have some far-reaching implication for the political identity of the Congress in the state. From now on its politics will perhaps be determined more by local issues, representing and reflecting regional aspirations than has been the case so far.<sup>44</sup>

### Concluding Observations

Human rights, in theory, are universal in character. However, precisely because of the many divisions that exist in society and which are the sources of many politics, human rights are always vulnerable to misuse for partisan and sectarian ends. The vulnerability of human rights to sectarian abuses arises because as Nino argues, ‘human rights are instruments created by human beings’ and many human beings ‘use their fellow humans as just another resource, either for their own benefit or to realize peculiar visions of the absolute good.’ The practice of using men and women as ‘instruments’ has all the more dangerous consequences ‘if, as often happens, it is carried out by the powerful, by those who have access to weapons or other means of subjecting other people to their will on a large scale.’<sup>45</sup>

The source of violations of human rights in Punjab lies in its manifold complexities of a conflict-ridden society. The articulation of human rights becomes an extremely challenging and tangled enterprise in a society with a long history of sectarian divisions. Punjab has witnessed a political cycle of violent and peaceful conflict between the state and its opponents. This article has focused on three periods, as described below, of violent conflict between the state and the forces opposed to the state. In the intermediate periods between these, the conflict between the state and the anti-state forces remained non-violent in character. These periods were –

- 1) The period of the Lal Communist party-led armed guerrilla movement from the late 1940s to the early 1950s.
- 2) The period of the Maoist Naxalite movement from the late 1960s to the mid-1970s and
- 3) The period of the Sikh militant movement from 1978 onwards.

The period of the Maoist Naxalite movement i.e. from the late 1960s to the mid-1970s – there was large scale and brutal violation of human rights. During this period, Akali-led coalition was in power. The most notable form of violation of human rights was the resort to what came to be called ‘encounter deaths’ of Naxalite activists. Most of these ‘encounter deaths’ were actually deaths in police custody. The Naxalities were also

<sup>42</sup> *The Tribune*, January 28, 2012

<sup>43</sup> Surinder S. Jodhka, *n.30*, p. 224

<sup>44</sup> *Ibid.*, p. 230.

<sup>45</sup> Pritam Singh, *n.5*, p.170.



subjected to various types of torture – some of them extremely brutal – such as breaking of the legs by hammering them with bricks and stones, inserting pins into the fingernails, releasing rats and lizards into the victims,' trousers, tying them behind jeeps and dragging them along miles. In Sangrur district, the limbs of some Naxalite activists were crushed in a sugarcane crusher.

During the period of the Sikh militant movement from 1978 onwards, the most violent confrontation between the Sikh militants and the Indian state took place during and after the Indian army's attack known as Operation Blue Star on the Golden Temple in Amritsar on 3<sup>rd</sup> June 1984. During the Khalistan period, various armed opposition Sikh groups killed members of the security forces, kidnapped family members of security personnel and rich persons, attacked many Hindus and killed anyone they could kill who was politically opposed to them. So in order to defend India's territorial integrity, and to restore law and order, the security forces, according to this perspective, had to be powerful enough to crush any violent challenge to the authority of the central state. The anti-statist understanding of human rights needs to take this into account. This is because more often than not human rights become a tool to discredit the state machinery. However, the period of armed conflict not only saw the death of many innocent persons at the hands of both the militants and the state security forces, but the legitimate democratic space of the political opposition was usurped in this process.

The Punjab crisis was not a simple law and order problem. It was a political problem with social and economic roots. The defence of human rights is absolutely critical to the furthering of the economic interests of people within and through the democratic process. The prolonged armed conflict affected the political culture of Punjab that acquired an anti-human rights predisposition. The articulation of diverse political aspirations in the state often met with reluctant accommodation or outright suppression. The enduring nature of Punjab politics helps us to understand how human rights can not only be shaped by economic and political interests but also how they can profoundly influence those interests as well. Its endurance has been in the alliances as well as confrontation between regional and central forces. The political process in the state has been a battle-ground against centralization of power in the hands of a single party.

This article finds that Punjab has experienced various ups and downs in its political history and human rights violations have been a major factor in shaping its politics where democratic forces have been equally important. Punjab has witnessed political violence under special circumstances. Its history in between these periods has been largely tranquil with few political killings and human rights abuses. It is an interesting contrast to West Bengal where human rights violations took place even in normal circumstances and not only in violent period of agitations. Punjab's interests have resided mostly not in political autonomy but in greater financial powers so that the state could marshal its share of the national kitty to accelerate its development. Political economy has been the driver of many of its political trends. When politics has not degenerated into violent conflicts, rather than getting bogged down by partisan politics, Punjab has often found political consensus around issues of economic development, no matter how short-lived it has been. Since the end of the Khalistani militancy, Punjab has been largely in sync with the Indian federal structure. While it is cavalier to think that militant politics would never re-emerge in Punjab, the state's capacity to absorb political stress and endure democratic means in the period since the extirpation of political militancy has been strong enough.<sup>46</sup>

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46 Virginia Van Dyke, 'The Khalistan Movement in Punjab: India and the Post-Militancy Era Structural Change and New Political compulsions', *Asian Survey*, Vol. 49, No. 6, November/December 2009, p. 997.



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